

RECEIVED  
CENTRAL FAX CENTER

AUG 25 2005

## FAX TRANSMISSION

DATE: August 25, 2005

PTO IDENTIFIER: Application Number 10/779,410-Conf. #7767  
Patent Number

Inventor: Barbara J. Swaab et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 273-8300

FROM: RADER, FISHMAN &amp; GRAUER PLLC

Kristin L. Murphy

PHONE: (248) 594-0647

Attorney Dkt. #: 66163-0003

PAGES (Including Cover Sheet): 4

CONTENTS: Response to Restriction Requirement (with Traverse) (2 pages)  
Certificate of Transmission (1 page)

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (248) 594-0647 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

RADER, FISHMAN & GRAUER PLLC  
39533 Woodward Avenue, Suite 140, Bloomfield Hills, Michigan 48304  
Telephone: (248) 594-0600 Facsimile: (248) 594-0610

PTO/SB/97 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

~~Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.~~

Attorney Docket No.: 68163-0003

Application No. (if known): 10/779,410

## Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on August 25, 2005  
Date



Signature

Kathryn L. Nash

Typed or printed name of person signing Certificate

Registration Number, if applicable

(248) 594-0612

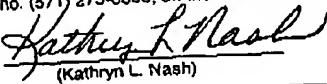
Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Response to Restriction Requirement (with Traverse) (2 pages)

RECEIVED  
CENTRAL FAX CENTER

AUG 25 2005

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (571) 273-8300, on the date shown below.  
Dated: August 25, 2005  
Signature:   
(Kathryn L. Nash)

Docket No.: 66163-0003  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Barbara J. Swaab et al.

Application No.: 10/779,410

Confirmation No.: 7767

Filed: February 13, 2004

Art Unit: 3711

For: INSTRUCTIONAL YOGA GAME AND  
METHOD OF PLAY

Examiner: V. K. Mendiratta

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed July 25, 2005 (Paper No. 20050719), applicant hereby provisionally elects claims 1-14 for continued examination, with traverse.

The Examiner has required restriction between the following:

I. Claims 1-14 drawn to apparatus; and

II. Claims 15-23 drawn to method of playing.

The Commissioner may require restriction if two or more independent and distinct inventions are claimed in a single application (37 CFR 1.142(a)). In the present case, although the claimed subject matter may be classified in different classes, the inventions are not independent. Indeed, the method claims of Group II are specifically directed to a method of playing an apparatus that includes similar structural limitations as those found in Group I.

Application No.: 10/779,410

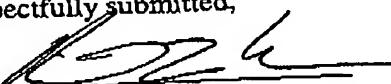
Docket No.: 66163-0003

If the Examiner is aware of another method to make the product as claimed, using a process which is materially different from that set forth in the restricted claims, applicant respectfully requests the Examiner to substantiate his position in greater detail. Otherwise, it is respectfully requested that the restriction requirement be withdrawn, and that each of claims 1-23 presently pending in this application be examined.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. 66163-0003 from which the undersigned is authorized to draw.

Dated: August 25, 2005

Respectfully submitted,

By   
Kristin L. Murphy

Registration No.: 41,212  
RADER, FISHMAN & GRAUER PLLC  
39533 Woodward Avenue, Suite 140  
Bloomfield Hills, Michigan 48304  
(248) 594-0647  
Attorney for Applicant

R0309096.DOC